

**BOARD OF MADISON COUNTY COMMISSIONERS**  
**May 6, 2008 MINUTES**

On Tuesday, May 6, 2008, a meeting of the Board of Madison County Commissioners came to order at 9:10 a.m. in the Commissioners' Conference Room of the Madison County Courthouse in Virginia City, Montana, with Commissioners David Schulz, Jim Hart, and Marilyn Ross present.

Marilyn Ross moved to approve the April 29, 2008, minutes with corrections. Jim Hart seconded the motion. All voted aye and the motion carried.

Those people in attendance at the meeting were Jim Jarvis, Charity Fechter, Lee Alt, Doug Bailey, Holly Heinzmann, Tom Murphy, Dave Schenk, Karen Brown, Barbie Durham, Glenn Flikkema, Jeremy Flikkema, Vicki Tilstra, Chris Mumme, Brandy Hilton, and those on the attached list.

**Grants: 2008 TSEP Application:** Marilyn Ross moved to approve the Joint Application for SPA 124 Permit, from the Department of Fish, Wildlife and Parks, Floodplain Permit, from the County Floodplain Administrator, and Section 404 Permit, from the U.S. Army Corps of Engineers, for proposed replacement of the Coy Brown Bridge over the Ruby River near Alder, Montana, Project Number MT-TSEP-CG-08-393. Jim Hart seconded the motion. All voted aye and the motion carried.

**Airport Manager Resignation:** Jim Hart moved to accept the letter of resignation from Robert Gates as the Airport Manager for the Ennis Big Sky Airport and to advertise the vacancy. Marilyn Ross seconded the motion. All voted aye and the motion carried.

**Lone Moose Meadows ODP:** Charity Fechter, Planning Director, and Jim Jarvis, Planner II, met with the Board to discuss the Overall Development Plan for Lone Moose Meadows. Scott McCormack and Lauren Waterton, American Land Development, were also present for this portion of the meeting. Jim Jarvis presented the plan and gave a brief overview of the project. The entire project is a 535 acre development that lies in both Madison County and Gallatin County. This ODP is for the 185 acres of the project that lies within Madison County. The Gallatin County portion of the project was approved in 2000. The proposal will create 148 dwelling units made up of 21 single-family units (1-6 acre lots), 9 triplex units (1/2 to 3/4 acre lots) and a 100 unit skier services/condo/hotel, and low intensity recreation area and open space. Jim explained that this is a conceptual plan and that each specific phase would be required to submit for approval. Scott McCormack and Lauren Waterton answered questions related to emergency access issues. Per recommendation of the Planning Board and Planning Staff, Jim Hart moved to approve the Lone Moose Meadows Overall Development Plan, legally described as Tract 1, Certificate of Survey 1550, in Section 29, Township 6 South, Range 3 East, with recommended conditions. Marilyn Ross seconded the motion. All voted aye and the motion carried.

**Williams Creek Minor Preliminary Plat:** Charity Fechter, Planning Director, and Jim Jarvis, Planner II, presented the Board with the preliminary plat of Williams Creek Minor Subdivision. Those on the attached list were present for this portion of the meeting. This proposed subdivision is a 162.34 acre site located four miles southeast of Alder, Montana, and one mile east of the intersection of the Anderson Lane and Williams Creek Road. The site is directly accessed from Williams Creek Road, an existing county road, and would create five single family lots ranging from 20 acres to 82.3 acres in size. Those present voiced concerns about the cost of improving the county road leading to the subdivision; an historic access through the property to public and private land; trailing cattle through portions of the subdivision to access grazing land; and contributions from the developers for fencing costs. Based on the recommendation of the Planning Board and staff, Marilyn Ross moved to approve the preliminary plat of Williams Creek Minor Subdivision in the E½ of NE ¼ and the E½ of the SE¼ of Section 26, Township 6 South, Range 4 West, with an addition to condition 10 stating that "fencing funds are to be placed by the developer into an escrow account held by the County for disbursement, upon request, to the Ruby Dell Ranch" and changing condition number 12 to read as follows: "Prior to final plat approval, the developer agrees to install a 10,000 gallon cistern and dry hydrant and appropriate road signage and record a public access easement along the eastern border of Lot 5 leading to the adjacent public and private property which shall provide for the continuation of historic uses, including trailing of cattle. IV-A 14 (c-2) MCSR; 76-3-608 MCA". Jim Hart seconded the motion. All voted aye and the motion carried.

**Planning Board Report:** Jim Jarvis, Planner II, gave the Board a brief summary of the April 28, 2008, Planning Board meeting. Charity Fechter, Planning Director, presented the Board with proposed changes to Appendix A, Definitions, of the Madison County Subdivision Regulations, relating to residential and commercial terms.

**Speed Study Request – Highway 84:** Lee Alt and Doug Bailey, Montana Department of Transportation, met with the Board to discuss a request from area residents to conduct a speed study on Montana Highway 84 in the vicinity of Norris Hot Springs. Holly Heinzmann, Tom Murphy, Local Residents, and Dave Schenk, Sheriff, were also present for this portion of the meeting. Lee and Doug reviewed how the process works stating that there has never been a speed study in that area and there is a good possibility that this study could be completed by fall. Lee stated that all speed limits are set by the Montana Highway Commission after the speed study results are submitted and that comments from citizens and Commissioners will be considered. Marilyn Ross asked about speed limits in unincorporated towns. Lee stated that these roads and/or streets are under County jurisdiction and recommended that the County draft an ordinance to address speed limits in unincorporated towns.

**Speed Study Request – US Highway 287 near Ennis Nursing Home and Crosswalk Relocation Request:** Dave Schenk, Sheriff, met with the Board to discuss the need for a speed study in the Town of Ennis, near the existing nursing home and new hospital which is still in construction stages. Lee Alt and Doug Bailey, Montana Department of Transportation, were also present for this portion of the meeting. The Sheriff stated that the current speed limit of 35 miles per hour is excessive and that all limits in that area should be extended out. The Sheriff also discussed a crosswalk in the same vicinity which is traveled by nursing home employees and residents to get to the Dairy Queen on the opposite side of the road. The Sheriff would like the crosswalk moved approximately 100 yards north for safety purposes. Lee Alt recommended that the speed study be conducted after the new hospital is completed for a more accurate traffic analysis but said that the crosswalk could be moved at any time. Marilyn Ross moved to submit two letters to the Montana Department of Transportation, one from David Schenk requesting that the crosswalk on US Highway 287 near the Madison Valley Manor be relocated, and one from the Board of Commissioners requesting a speed study in the Town of Ennis. Jim Hart seconded the motion. All voted aye and the motion carried. These letters were presented to Lee Alt at the meeting.

**Missouri River Drug Task Force:** Dave Schenk, Sheriff, met with the Board to discuss an interlocal agreement for a multi-agency task force to address drug related crime. Per recommendation of the Sheriff, Marilyn Ross moved to approve the Missouri River Drug Task Force Agreement for Fiscal Year 2008-2009. Jim Hart seconded the motion. All voted aye and the motion carried.

**Road Research Update:** Stacy Reid, Road Research Analyst, updated the Board on the progress she has made to date on the Road Research project and presented a summary of that update. Stacy stated that she has been working for three months and that, at the current rate, the project could feasibly be completed by November. The Board will check Stacy's job description to see how long the position can be extended.

**Journal Voucher:** Marilyn Ross moved to approve Journal Vouchers for the April 2008 accounting period. Jim Hart seconded the motion. All voted aye and the motion carried.

**Personnel Policy Manual:** The Board set the dates of May 14, 2008, and May 22, 2008, from 9:00 a.m. to 11:00 a.m. each day, for Personnel Policy Manual review.

**County Atlas Changes and Availability:** Karen Brown, GIS/IT, met with the Board to discuss the need to purchase more County atlases. Karen discussed how many should be ordered and if the price should remain the same. Karen also discussed the possibility of making the atlases available on CD or DVD and what the price should be if they were offered for sale. The Board asked Karen to research what other counties are charging for this type of information. Karen also discussed updates to atlas and the possibility of developing an FTP website; budgeting issues for computer replacements; and printers for the Commissioners Office.

**Compensation Board Meeting:** The Board scheduled the annual Compensation Board meeting for Thursday, May 29, 2008, at 4:00 p.m. The Board will select members before that date.

**CDBG Request for Payment:** Barbie Durham, Grant Writer, met with the Board to discuss a submittal to the Montana Department of Commerce for CDBG funds. Jim Hart moved to approve the Local Government request for payment of Community Development Block Grant funds in the amount of \$6,259.00 for grant number MT-CDBG-07PG-16, CDBG Planning Grant. Marilyn Ross seconded the motion. All voted aye and the motion carried.

**Resolution Amending Salary Resolution:** Marilyn Ross moved to adopt Resolution 18-2008, a resolution amending Resolution 17-2007, setting salaries for Fiscal Year 2007-2008. Jim Hart seconded the motion. All voted aye and the motion carried.

**AFLAC:** Glenn Flikkema and Jeremy Flikkema, met with the Board to discuss the County AFLAC program. Glenn stated that they have been working with the County for several years beginning in 1994. Glenn explained how AFLAC benefits are different from medical insurance and how the Core Plan works. Glenn stated that AFLAC would be willing to administer the cafeteria plan (flex) if needed.

**Homeland Security Comprehensive Assessment Model Equipment:** Chris Mumme, Director of Emergency Management, met with the Board to discuss equipment he has purchased through a grant that will assess structures and develop a virtual tour of selected buildings to provide insight of how to access or evacuate in an emergency situation. Chris stated that he has interested persons who are familiar with this type of equipment and have volunteered to implement the procedure and help train others to use it. Marilyn Ross moved to authorize Chris to move forward with the project. Jim Hart seconded the motion. All voted aye and the motion carried. David Schulz requested that Chris keep track of hours for volunteers and submit it to the Finance Office so that they will be covered by Workers Compensation Insurance.

**Alder and Virginia City Fire Districts:** Vicki Tilstra, Chief Financial Officer, Brandy Hilton, Assessor, and Chris Mumme, Director of Emergency Management, met with the Board to discuss assessments the Virginia City Rural Fire District. David Schulz stated that he would like to get an opinion from Harold Blattie of MACo before making a determination regarding the number of mills to be assessed for the Virginia City Rural Fire District.

**Forest Service Road Agreement:** Marilyn Ross moved to approve the Forest Development Road Cooperative Agreement, Schedule A, between Madison County and the Beaverhead-Deerlodge National Forest, effective for the 2008 Field Season, for the purpose of defining which roads will be maintained by which entity. Jim Hart seconded the motion. All voted aye and the motion carried.

**Independent Contract Agreement – Robin Blazer:** The Board determined that Robin Blazer will remain an employee as originally determined rather than being contracted for secretarial services.

**Fill In Help for County Offices:** The Board will continue to research job descriptions for various offices with the intention of creating a job description for fill-in help for County offices.

**Donation to VC Auction:** Marilyn Ross moved to donate two Path to Eden videos to the Virginia City Auction. Jim Hart seconded the motion. All voted aye and the motion carried.

**Speed Limits on County Roads/Streets:** Per recommendation from Lee Alt, Montana Department of Transportation, Marilyn Ross will draft an ordinance pertaining to speed limits on roads and/or streets in unincorporated towns within Madison County.

**Lott-McGarry Property Purchase at Fairgrounds:** The Board reviewed a Buy/Sell Agreement for the purchase of McGarry Property at the Madison County Fairgrounds. David Schulz stated that the agreement has been modified to require the purchaser to be responsible for all closing costs and that the closing date has been moved to June 16, 2008. After discussion, Marilyn Ross moved to approve the Buy/Sell Agreement between Madison County and Laree McGarry, for property shown as Lott Remainder on Certificate of Survey filed in Book 7 of Surveys, Page 1591-BA, record of Madison County, contingent upon review and approval by the County Attorney. Jim Hart seconded the motion. All voted aye and the motion carried.

Commissioner's Meeting – May 6, 2008

**Airports – FAA Sponsor Certification and Specifications:** Jim Hart moved to approve the Sponsor Certification for Project Plans and Specifications, A.I.P. 3-30-0090-010-2008, for improvements at the Big Sky (Ennis) Airport: Rehabilitate Runway 16-34, Rehabilitate Runway Lighting, Maintenance for Taxiway A, B, & C, and Aprons. Marilyn Ross seconded the motion. All voted aye and the motion carried.

**Airports – Non-Primary Transfer Agreements:** Marilyn Ross moved to approve revised agreements for transfers of Non-Primary Entitlements from Twin Bridges Airport to Ennis Airport for fiscal years 2005, 2007, and 2008; and from Ennis Airport to Twin Bridges Airport for fiscal year 2009. Jim Hart seconded the motion. All voted aye and the motion carried.

With no further business the meeting was adjourned at 5:04 p.m.

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David Schulz, Chairman  
Board of Madison County Commissioners

Date Approved: May 13, 2008

Minutes prepared by:

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Laurie Buyan, Administrative Assistant

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Peggy Kaatz, Clerk and Recorder, Madison County